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NOTICE

The undermentioned *Gazettes of India Extraordinary* were published upto the 2nd July, 1959.

Issue No.	No. and date	Issued by	Subject
73	No. 64-ITC(PN)/59, dated 27th June, 1959.	Ministry of Commerce and Industry	Licensing of Art Silk Yarn etc., under the Export Promotion Scheme—April–September, 1959 licensing period.
	No. 65-ITC(PN)/59, dated 27th June, 1959.	Do	Import policy for Watches and parts thereof during April–September, 1959.
74	No. 66-ITC(PN)/59, dated 29th June, 1959.	Do	Import of 'Fruits, all sorts excluding coconuts and cashenuts, fresh, dried, salted or preserved n.o.s., and excluding dates, Asafoetida, Cumin seeds and medicinal herbs from Afghanistan.
	No. 67-ITC(PN)/59, dated 29th June, 1959.	Do	Import of Cellulose Acetate flakes and plasticisers against licence issued for cellulose acetate moulding powder.
75	No. 7/59, dated 30th June, 1959.	Do	Open General Licence issued under the Imports (Control) Order, 1955.
76	No. 68-ITC(PN)/59, dated 2nd July, 1959.	Do.	Import policy for Art silk yarn during April–September, 1959.

Copies of the *Gazettes Extraordinary* mentioned above will be supplied on Indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these *Gazettes*.

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PART I—Section 1**Notifications relating to Non-Statutory Rules, Regulations and Orders and Resolutions issued by the Ministries of the Government of India (other than the Ministry of Defence) and by the Supreme Court****RAJYA SABHA SECRETARIAT***New Delhi, the 2nd July 1959*

No. R5 18/2/59 L—Shri Satyendranath Bose a nominated Member of the Rajya Sabha, has resigned his seat in the Rajya Sabha

9 N MUKERJEE Secy**MINISTRY OF COMMUNITY DEVELOPMENT AND COOPERATION***(Department of Cooperation)**New Delhi the 11th June 1959*

No F 532/59-Coop.II—The Second Five Year Plan envisages that the main task during the Plan period should be to take such essential steps as would provide sound foundations for the development of cooperative farming so that a substantial proportion of agricultural lands are cultivated on cooperative lines. More recently the Government of India have accepted joint cooperative farming on a voluntary basis as the future agrarian pattern in India. Conditions have to be created in the country so that joint farming may have a fair chance of success. For this purpose it is necessary to ensure that financial and other facilities, technical knowledge and guidance are available to those who voluntarily decide to establish joint farming societies.

2 The Government of India have, therefore, decided to set up a Working Group on Cooperative Farming to help the formulation of a programme for this purpose based on available experience.

3 The Working Group will consist of the following—

Chairman

1 Shri S. Nijalingappa M.L.A.

Members

2 Dr. Ram Subhag Singh, M.P.

3, Sardar Gurbaksh Singh President Progressive Workers' Cooperative Farming Society, Khempur U.P.

4 Shri V. K. Rao I.C.S., Joint Secretary, Planning Commission

5 Shri B. D. Pande I.C.S., Development Commissioner, Bihar

6 Dr. A. U. Sheikh I.A.S., Registrar of Cooperative Societies, Bombay State

7 Shri J. S. Patel, Adviser (Agriculture), Department of Community Development

8 Shri V. M. Jakhade Director of Rural Economics, Economic Department Reserve Bank of India

Member Secretary

9 Shri M. P. Bhargava Additional Cooperation Commissioner, Department of Cooperation

4 The terms of reference of the Working Group are

I To examine the types and the methods of organisation and management of joint farming societies with special reference to—

(a) Preparatory work,

(b) model bye-laws and registration

(c) management

(i) formulation of production plan,

(ii) payment of ownership dividend,

(iii) work distribution—formation of teams and groups

(iv) assessment of performance

(v) payment of remuneration to workers,

(vi) maintenance of accounts

(d) mobilisation and fuller utilization of manpower, cattle and other local resources

(e) measures necessary for setting up cottage and other subsidiary industries for increasing employment

(f) measures necessary for preservation and maintenance of individual initiative and at the same time fostering close contact, social cohesion and mutual obligation

II To assess financial requirements and suggest how these should be met

III To assess the requirements of administrative, supervisory and technical personnel at various levels,

IV To suggest arrangements for training of—

(i) members,

(ii) office bearers,

(iii) managers, and

(iv) administrative, supervisory and technical staff and formulate a phased programme of training,

V To recommend such other measures as may be considered necessary for promoting this programme of joint cooperative farming

5 The Working Group will submit its report within two months from the date of its formation

6 Headquarters of the Group shall be Delhi. The Group may undertake tours as and when necessary and may also record evidence of individuals, cooperative societies and others who may have expert knowledge on the subject

New Delhi the 22nd June 1959

No. 532/59 Coop.II—In partial modification of the Notification No. F 532/59 Coop.II dated the 11th June 1959, constituting the Working Group on Co-operative Farming, the Government of India has decided to appoint Shri Ameer Raza I.A.S. Joint Secretary to the Government of India, Department of Agriculture, Ministry of Food and Agriculture as an additional member of the Working Group.

M. R. BHIDE Addl. Secy**MINISTRY OF EXTERNAL AFFAIRS****RESOLUTION***New Delhi the 27th June 1959*

No. 18(24) IAT/59—The Government of India have decided to extend by another year with effect from the 26th April 1959 the term of the Central Haj Committee constituted by the Ministry of External Affairs and Commonwealth Relations Resolution No. 385/47 Haj dated the 26th April 1948.

2 The Committee which has been reconstituted shall consist of the following—

Chairman

The Committee shall elect its Chairman from amongst its members

Members

1 Maulana Ahmed Saeed

2 Maulana Mohd. Mian Ishaq, M.P.

3 Maulana Hafizur Rehman M.P.

4 Syed Mazar Iman M.P.

5 Mrs. Zarina Qulimbhoy

6 Shri M. Vahulla M.P.

7 Shri Joachim Alva M.P.

8 Col. Pir Mohd. Khan, M.P.

9 Shri Ismail Sheriff

10 Shri Ahmed Mehdi M.P.

11 Shri Akbar Ali Khan M.P.

12 Shri Yusuf Firozi

13 Professor Himayat ul Hasan

14 Foreign Secretary, Ministry of External Affairs

15 Joint Secretary, Ministry of External Affairs

Secretary and Convener

Deputy Secretary in charge Haj Affairs in the Ministry of External Affairs

ORDERED that a copy of this Resolution be communicated to all Ministries of the Government of India, the Prime Minister's Secretariat, Department of Parliamentary Affairs, all State Governments and Administrations, all Haj Committees and the Shipping Company concerned for information and also that the Resolution be published in the Gazette of India.

P. N. KAUL, Dy. Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 2nd July 1959

No F.5/4/59-Ad I.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, namely—

MINISTRY OF HOME AFFAIRS INVESTIGATORS RECRUITMENT RULES, 1959

1 **Short title**—These rules may be called the Ministry of Home Affairs Investigators Recruitment Rules 1959

Statement to be adopted for isolated posts for which detailed Recruitment Rules are not considered necessary

Name of post	No of posts	Classification	Scale of pay	Percentage of posts to be filled by			For direct recruitment only			For Promotion/Transfer only		
				Direct recruitment	Promotion By selection	Transfer By seniority-cum fitness	Age limits	Educational & other qualifications required.	Period of Probation if any	Whether age and educational qualifications prescribed for direct recruitment will apply in case of appointment by promotion/transfer	Grades/ sources from which promotion/transfer are to be made.	
1	2	3	4	5	6	7	8	9	10	11	12	13
Investigators	9	Class III Non-Gazetted Non-ministerial	Rs. 160-10-330	By deputation/transfer of Upper Division Clerks in the Central Secretariat Clerical Service who are permanent and quasi-permanent in the grade, failing which by direct recruitment			18-25 year relaxable in the case of Scheduled Castes/ Tribes, displaced persons, and other special categories in accordance with the orders issued from time to time by the Govt of India	(i) M.A. in Anthropology or Sociology or B.A. in Economics, Mathematics, or Statistics with knowledge of Hindi (ii) workable knowledge of Financial Rules desirable (iii) qualifications relaxable in case of those otherwise well qualified.	Six months	Yes	From Upper Division Clerks in the Central Secretariat Clerical Service.	

MINISTRY OF COMMERCE AND INDUSTRY

RESOLUTION

New Delhi, the 30th June 1959

1 **Cem-1(35)/58**.—By their Resolution No Cem 18(174)/56, dated the 23rd March, 1957, the Government of India, faced by then were with the problem of acute shortage of cement in the country, appointed a Committee under the chairmanship of Shri K. C. Sood, Director Research and Development Organisation, Ministry of Railways, consisting of both official and non official members, to suggest ways and means effecting economy in the use of cement and to increase availability

2 The Committee submitted its Report in August, 1958. The main recommendations of the Committee are summarised below—

- (A) The Committee observed at the outset that although the position in regard to availability of cement had changed considerably from that of acute shortage to that of easy supply this is only a temporary phase and that with the general rise in the tempo of developmental activities demand for cement is certain to revive. The *per capita* consumption of cement is very low in this country as compared to its consumption in other countries. There is therefore, scope for further expansion of portland cement industry and for the development of pozzolanic and blast furnace slag cement
- (B) **Pozzolanic Cement**—(i) There is a wide range of both natural and artificial pozzolanic materials available in the country, but their activity and suitability as pozzolanas needs to be investigated
- (ii) Before the pozzolanic materials are admixed with Portland Cement, it would be necessary to fix Indian Standard Specifications for such materials

N. N. TANDON, Under Secy.

- (iii) Pozzolanic cement is not a general purpose cement, but its use in Mass Masonary construction of dams, Marine works etc. has been well established both in India and abroad. In addition, it can be beneficially used for certain specific jobs like Tunnel Lining and Foundations, piers and abutments of bridges etc.
- (iv) Use of pozzolanas in the construction of dams should be made on a more extensive scale. The possibility of such use should invariably be examined before any new project is sanctioned.
- (v) Mixing of pozzolanas may be done either at the site of the dam or at cement factories located close to the site as well as in areas which are deficient in the production of portland cement but are close to the source of pozzolanas.
- (vi) Unless the use of pozzolanic cement can be extended to the field of general construction, it would not be advisable to establish any regular capacity for its manufacture. Also in view of the present easy availability of cement, some caution would be necessary before any decision is taken to establish capacity for its manufacture. But the industry should be in a position to take up such manufacture, should a contingency arise, and investigations and steps necessary for this end should not be postponed.
- (C) **Blast Furnace Slag Cement**—(i) Suitability of Blast furnace slag for manufacture portland cement seems to have been established in the case of slag available from the Mysore Iron and Steel Works and Tata Iron and Steel Companies. The schemes which are at present under implementation for utilisation of this slag in the manufacture of cement may be speedily executed
- (ii) The possibility of the use of slag for manufacture of cement has also been kept in view while planning the layout of the three steel plants in the public sector. A granulation plant has already been designed in the case of Bhilai Steel Project.

- (iii) The new cement factories, specially those near Iron and Steel Plants should provide for 50 per cent additional milling capacity, so as to take to manufacture of blended portland slag cement, whenever necessary
- (iv) Not all the available slag can be utilised for manufacture of cement and its use in the manufacture of slag wool, insulation products, construction of roads etc should be investigated and encouraged
- (i) *Alumina Cement*.—Alumina Cement disintegrates at temperature of 125°C or 80°F and considering the climatic conditions in the country, it is not advisable to use it as a Masonry cement
- (E) *Masonry Cement*.—The Central Building Research Institute should explore the possibilities of experimental production of masonry cement based on low grade limestone and rejects in the country
- (F) *Gypsum used in the manufacture of Cement*.—In view of the overall short supply of good quality gypsum, the Central Building Research Institute should investigate the possibilities of using other materials as retarders in place of gypsum used in the manufacture of cement

3. The other recommendations of the Committee are —

- (A) No practical difficulty is envisaged in the adoption of metric system by the cement industry.
- (B) To overcome the initial reluctance of the consumers to buy portland pozzolana or portland slag cement, it would be necessary to fix concessional price for these types of cement
- (C) To ensure equitable distribution, it would be necessary to bring pozzolana cement under the purview of the Cement Control Order.

4 The Government of India generally accept in principle the recommendations made by the Committee in Para 2 above and recommended that Ministries/Organisations concerned may take steps to implement them and conduct further investigations on the lines suggested by the Committee. As regards the recommendations of the Committee in Paragraph 3, the Government of India observe as follows.—

- (i) *Recommendation in Sub para 3 (A)*—Steps are being taken for introducing metric system in the cement industry
- (ii) *Recommendations in Sub para 3 (B) & (C)*—These recommendations can be considered only after some capacities for regular production of pozzolana and slag cement have been established

ORDER

Ordered that a copy of this Resolution be communicated to all concerned and that it be published in the Gazette of India

Illegible

Secretary

(Office of the Joint Chief Controller of Imports and Exports, Bombay)

NOTICE

New Delhi, the 11th July 1959

No. 1/68/58/CDN.II.—It is hereby notified, that in exercise of the powers conferred by clause 9 of the Imports (Control) Order, 1955, the Government of India, in the Ministry of Commerce and Industry propose to cancel licence No. E 876693 dated the 9th May, 1958 valued at Rs 1,000 (Rupees one thousand only) for the import of Electric Insulation etc from the Solt Currency Area except South Africa granted by the Joint Chief Controller of Imports and Exports, Bombay to M/s. Bharat Kumar & Bros, Bombay 2, unless sufficient cause against this is furnished to the Joint Chief Controller of Imports and Exports, Gulam Mohd Bldg, Nicol Road, Ballard Estate, Bombay-1, within ten days of the date of issue of this notice by the said M/s Bharat Kumar & Bros, Bombay 2, or any Bank, or any other party, who may be interested in it

In view of what is stated above M/s Bharat Kumar & Bros, Bombay 2, or any Bank, or any other party who may be interested in the said licence No. E876693, dated 9th May, 1958 are hereby directed not to enter into any commitments against the said licence and return it immediately to the Joint Chief Controller of Imports and Exports, Gulam Mohd Bldg., Nicol Road, Ballard Estate, Bombay-1

N H NAGARWALLA, Dy Chief Controller of Imports and Exports

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

(I.C.A.R.)

New Delhi, the 4th July 1959

No. 33(2)/59-CDN.—In supersession of the Ministry of Food and Agriculture, Department of Agriculture (I.C.A.R.) Gazette Notification No F33(6)/58-CDN, dated the 3rd March, 1959, Shri A C Bose, I.A. & A.S. Joint Secretary, Ministry of Finance, has been appointed as a member of the Standing Finance Committee of the Indian Council of Agricultural Research and as such also its Financial Adviser

PRAKASH KRISHNEN, Dy Secy

(Department of Agriculture)

RESOLUTIONS

New Delhi, the 8th April 1959

No. F 2-13/58FY(D).—With a view to give a fillip to development of the marine fishing industry in the country, the Government of India set up an Offshore Fishing Station, Tuticorin with effect from 1st April 1958 with the following objectives—

- (i) to carry out exploratory work in respect of
 - (a) the charting of fishing grounds,
 - (b) the determination of the type of fish available,
 - (c) the examination of the type of fish available,
 - (d) the preservation and storage of fish at the Cold Storage Plant and Ice Factory,
 - (e) the assessment of the suitability of different types of fishing vessels,
 - (f) the assessment of the suitability of different types of fishing gear and equipment, especially nets,
- (ii) to train personnel for fishing operations on modern lines,
- (iii) to test the commercial possibilities of deep sea fishing and make available the requisite data and information to those concerned so as to help and guide the expansion of the fishing industry

2 In pursuance of the decisions taken at the meeting held in this Ministry on 3rd September, 1957, in connection with the pooling of FCM vessels under the Central Government, the Government of India have decided to set up an Advisory Committee to ensure proper working of the station and to secure greater coordination between the Central Fisheries Department, the Port Trust, the Naval Authorities, the Trade and the Fisheries Department of Madras State. The Advisory Committee will consist of the following members—

Chairman

1. Director of Fisheries, Madras

Members

- 2 Superintendent, Fisheries Training Centre, Tuticorin (Madras State)
- 3 State Port Officer, Madras or his nominee
- 4 Chairman of the Port Trust, Tuticorin
- 5 Shri Noor Mohammed, President, Fishermen Cooperative Society, Kilakatai Ramanathapuram District
- 6 Shri C Machado, President, Truncheveli District Fishermen Cooperative Federation Ltd, Tuticorin
- 7 Shri A M Simon, President, Fisheries Cooperative Federation Kanyakumari District, Nagercoil

Member Secretary

- 8 Deputy Director, Offshore Fishing Station, Tuticorin

3 The tenure of appointment of members of the Advisory Committee other than those members who are appointed by reason of the office or appointment, they hold, will be 3 years

4 The Committee will review the work of the Station from time to time, and advise the Government of India on such matters as may be considered necessary

ORDERED that a copy of the Resolution be communicated to all State Governments all Ministries and Departments of Government of India, Cabinet Secretariat, Prime Minister's Secretariat, Indian Trade Commissioner, All Indian Embassies High Commissions etc Director of Commercial Intelligence and Statistics Calcutta

ORDERED also that it be published in the Gazette of India

No. F2-13/58-FY(D).—With a view to give a fillip to the development of the marine fishing industry in the country, the Government of India set up an *Off-shore Fishing Station, Cochin*, with effect from 1st April, 1958 with the following objectives:—

- (i) to carry out exploratory work in respect of—
 - (a) the charting of fishing grounds;
 - (b) the determination of the type of fish available;
 - (c) the examination of the type of fish available;
 - (d) the preservation and storage of fish at the Cold Storage Plant and Ice Factory;
 - (e) the assessment of the suitability of different types of fishing vessels;
 - (f) the assessment of the suitability of different types of fishing gear and equipment, especially nets;
- (ii) to train personnel for fishing operations on modern lines;
- (iii) to test the commercial possibilities of deep sea fishing and make available the requisite data and information to those concerned so as to help and guide the expansion of the fishing industry.

2. In pursuance of the decisions taken at the meeting held in this Ministry on 3rd September, 1957 in connection with the pooling of T. C. M. Vessels under the Central Government, the Government of India have decided to set up an Advisory Committee to ensure proper working of the Station and to secure greater coordination between the Central Fisheries Department, the Port Trust, the Naval Authorities, the Trade and the Fisheries Department of Kerala State. The Advisory Committee will consist of the following members:—

Chairman

1. The Director of Fisheries, Kerala.

Liaison Officer

2. The Assistant Director of Fisheries Training and Deep Sea Fishing, Ernakulam, Kerala State.

Members

3. Engineer and ship Surveyor, Mercantile Marine Department, Ministry of Transport and Communications, Cochin.
4. The Collector of Customs, Ministry of Finance, Cochin.
5. Shri R. Madhavan Nair, Managing Director, Cochin Company, Ernakulam.
6. Shri Raphael Rodriguez, President, Quilon Taluk Coastal Development Cooperative Society, Quilon.
7. Shri Bharathan, Fisheries Training Centre, Azhikode.

Member-Secretary

8. Deputy Director, Offshore Fishing Station, XXI/29, Kochangadi, Cochin-5.

3. The tenure of appointment of members of the Advisory Committee other than those members who are appointed by reason of the office or appointment they hold, will be 3 years.

4. The Committee will review the work of the Station, from time to time, and advise the Government of India on such matters as may be considered necessary.

ORDERED that a copy of the Resolution be communicated to all State Governments, all Ministries and Departments of Government of India, Cabinet Secretariat, Prime Minister's Secretariat, Indian Trade Commissioners, all Indian Embassies, High Commissions, etc., Director of Commercial Intelligence and Statistics, Calcutta.

ORDERED also that it be published in the Gazette of India.

No. F2-13/58-FY(D).—With a view to give a fillip to the development of the marine fishing industry in the country, the Government set up in 1946 a pilot deep sea fishing station Bombay, with the following objectives:—

- (i) to carry out exploratory work in respect of—
 - (a) the charting of fishing grounds;
 - (b) the determination of the type of fish available;
 - (c) the examination of the type of fish available;
 - (d) the preservation and storage of fish at the Cold Storage Plant and Ice Factory at Sassoon Docks;
 - (e) the assessment of the suitability of different types of fishing vessels;
 - (f) the assessment of the suitability of different types of fishing gear and equipment, especially nets;
- (ii) to train personnel for fishing operations on modern lines;

(iii) to test the commercial possibilities of deep sea fishing and make available the requisite data and information to those concerned so as to help and guide the expansion of the fishing industry.

2. In pursuance of the decisions taken at the meeting held in this Ministry on 3rd September 1957 in connection with the pooling of T.C.M. vessels under the Central Government, the Government of India have decided to set up an Advisory Committee to ensure proper working of the Station and to secure greater co-operation between the Central Fisheries Department, the Bombay Port Trust, the Naval Authorities, the Trade and the Fisheries Department of Bombay State. The Advisory Committee will consist of the following members:—

Chairman

1. Director of Fisheries, Bombay.

Members

2. The Officer-in-Charge, Mechanised Fishing, Rajkot, Bombay State.
3. Manager, Port Trust Docks, Bombay.
4. A Representative of Mercantile Marine Department, Ministry of Transport and Communication, Bombay.
5. Director, New India Fisheries Ltd., Laiyo House, Sassoon Docks, Bombay.
6. Shri N. C. Koli, Managing Director, Bombay Rajya Machhmar Sahakari Sanstha, 525, Crawford Market, Bombay.
7. Shri J. J. Malam, Secretary, Shri Sagar Sarvodaya, Fisheries Cooperative Societies, Porbandar.

Member-Secretary

8. The Superintending Engineer, Deep Sea Fishing Station, Bombay.

3. The tenure of appointment of members of the Advisory Committee other than those members who are appointed by reason of the office or appointment they hold, will be 3 years.

4. The Committee will review the work of the Station, from time to time, and advise the Government of India on such matters as may be considered necessary.

5. The Advisory Board, constituted for this Station in 1951, is hereby dissolved.

ORDERED that a copy of the Resolution be communicated to all State Governments, all Ministries and Departments of Government of India, Cabinet Secretariat, Prime Minister's Secretariat, Indian Trade Commissioners, all Indian Embassies, High Commissions, etc., Director of Commercial Intelligence and Statistics, Calcutta.

ORDERED also that it be published in the Gazette of India.

KRISHAN CHAND, Jr. Secy.

MINISTRY OF EDUCATION
(National Council for Rural Higher Education)

New Delhi, the 30th June 1959

No. F2-11/59-U6.—The following candidates have been declared to have passed the examination in 3-Year Diploma Course in Civil and Rural Engineering held in April-May, 1959. Candidates securing between 600 to 791 marks (both inclusive) are placed in IInd Division and those obtaining 792 marks or above, are placed in 1st Division. Krishna Singh Bhatnagar (Roll No. 25) of Vidya Bhawan Rural Institute, Udaipur, has stood first securing 876 marks out of 1200. T. Rangapathan (Roll No. 58) and U. K. Rajaram (Roll No. 57) of Ramakrishna Vidyalaya Rural Institute, Coimbatore, have stood IInd and IIIrd securing 865 and 828 marks, respectively.

BALWANT VIDYAPEETH RURAL INSTITUTE,
BICHPURI, AGRA

Roll No.	Name	Marks obtained
2	Bhan Pratap Singh	777
3	Babu Lal Verma	690
7	Kamal Singh Rana	739
11	Ram Kishore Shukla	776
12	Ramesh Chandra Singh	719
15	Yogendra Singh Parihar	
16	Yamuna Acharya	
18	Brijendra Kumar Sriva	

VIDYA BHAVAN RURAL INSTITUTE, UDAIPUR

Roll No.	Name	Marks obtained
24	Bheru Lal Tailor	681
25	Krishna Singh Bhatnagar	876
28	Narwar Lal Shremali	656
29	Padam Singh Talesra	823
30	Prem Kumar Joshi	697
31	Prabhu Lal Verma	718
32	Ram Chandra Bhattar	780
33	Roshan Lal Mehta	677
34	Roshan Lal Depura	738
35	Raghu Nath Sharma	643
36	Shanti Lal Godawat	724
37	Shanti Lal Korhari	707
40	Suresh Kumar Gupta	681
42	Devi Das D. Priyani	746

RAMA KRISHNA VIDYALAYA RURAL INSTITUTE, COIMBATORE

47	T. Govinda Variar	758
51	K. N. Keerthi Rao	719
52	C.S. Krishna Moorthy	708
54	M.M. Nanjappan	744
57	U. K. Rajaram	828
58	T. Ranganathan	865
62	T. K. Ramachandran	716
63	M. Selvaraj	737
64	S. Srinivasan	737
66	N. Subramanian	707
67	S. Venkataramani	781
68	S. Veradechari	651
70	G. Parasurama Sarma	774

The following candidates have obtained Compartment in the subject/subjects noted against each :

BALWANT VIDYAPEETH RURAL INSTITUTE, BICHPURI, AGRA

Roll No.	Name	Subject/Subjects
1	Ajai Kumar Chavhan	1. Applied Mechanics 2. Irrigation.
6	Harish Chand Jain	1. Applied Mechanics. 2. Irrigation.
8	Narottam Lal Bhasin	1. Surveying 2. Field Surveying.
9	Om Sharma	1. Details of construction and overseer's duties and accounts. 2. Irrigation.
10	Ram Kumar Sharma	1. Details of construction and overseer's duties and accounts. 2. Irrigation.
13	Radhey Shyam Chauhan	1. Estimating & Costing.
14	Virendra Pal Singh	1. Estimating & Costing.
17	Yogendra Nath Pandey	1. Applied Mechanics.
20	Yad Ram	1. Irrigation. 2. Field Surveying.
21	Suresh Kumar Varshney	1. Applied Mechanics. 2. Irrigation.
22	Narendra Kumar Gupta	1. Estimating & Costing.

VIDYA BHAVAN RURAL INSTITUTE, UDAIPUR

26	Laxman Singh Rajput	1. Surveying.
38	Shukdeo Upadhyay	1. Estimating & Costing. 2. Irrigation.
	Surinder Mohan Chadda	1. Estimating & Costing.
	Jain	1. Estimating & Costing.
		1. Surveying.
		1. Applied Mechanics.

RAMAKRISHNA VIDYALAYA RURAL INSTITUTE, COIMBATORE

Roll No.	Name	Subject/Subjects
50	S. Kasturirangan	1. Applied Mechanics.
53	P. Nanjappan	1. Field Surveying.
55	A. K. Karunakaran Elayadom	1. Applied Mechanics. 2. Project Work.
56	G. R. Ramanathan	1. Public Health Engineering.
59	V. Ramachandran	1. Applied Mechanics.
61	S. Rangaswamy	1. Estimating & Costing.
65	E. Sundararaj	1. Surveying. 2. Electrical & Mechanical Engineering & Workshop Technology.
69	M. Venkoba Rao	1. Surveying.

(Sd.) SHAM NARAIN,

Controller of Rural Higher Examinations

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 11th July 1959

No. TCI/1323/59.—In exercise of the powers conferred by sub-section (1) of section 44 of the Indian Railways Act, 1890 (9 of 1890) and in supersession of the Railway Rates Tribunal Rules, 1919, the Railway Rates Tribunal with the approval of the Central Government hereby makes the following rules, namely:—

RAILWAY RATES TRIBUNAL RULES, 1959

1. **Short title and commencement.**—(1) These Rules may be called the Railway Rates Tribunal Rules, 1959.

(2) They shall come into force on the 15th July, 1959.

2. **Interpretation of terms.**—In these Rules, unless there is anything repugnant in the subject or context,

- (a) 'Act' means the Indian Railways Act, 1890, (9 of 1890);
- (b) 'applicant' means a railway administration making an application under section 41A;
- (c) 'complainant' means a person making a complaint under section 41(1);
- (d) 'intervener' means any person allowed to intervene in a proceeding before the Tribunal under these rules;
- (e) 'pleading' includes a complaint under section 41(1), an application under section 41A, the answer to any of these by the respondent, a reply to the answer wherever allowed or directed by the Tribunal and the grounds of support or objection, as the case may be, by an intervener;
- (f) 'reference' means a reference to the Tribunal by the Central Government under section 45(2);
- (g) 'respondent' means any person arrayed as opposite party in a complaint under section 41(1) or an application under section 41A;
- (h) 'section' means a section of the Act;
- (i) 'Tribunal' means the Railway Rates Tribunal constituted by the Central Government under section 34;
- (j) 'writing' includes typewritten, printing, lithography or script mechanically reproduced,
- (k) words and expressions defined by the Indian Railways Act, 1890 (9 of 1890), and the General Clauses Act, 1897 (10 of 1897), have in these rules the same meanings as are assigned to them by those Acts.

3. **Secretary.**—The Secretary of the Tribunal shall perform the duties and exercise the functions hereinafter set forth, and such other functions as may from time to time be directed by the Tribunal. In the event of a vacancy in the office of the Secretary, or of the Secretary being absent or unable to perform his duties, the Tribunal may appoint any of its officials to perform for the time being the functions of the Secretary, and such official shall, during the time for which he is so appointed, have all the powers and exercise all the functions of the Secretary.

1. **Typographical specifications.**—All pleadings, affidavits and interlocutory applications, and copies thereof presented to the Tribunal shall be written, typewritten or printed fairly and legibly on substantial white foolscap folio paper, with a left-hand margin at least 1½" wide and a right-hand margin about 1" wide, and separate sheets shall be stitched together. The writing, type-script or printing shall be on one side only of the paper, and, when necessary, be divided into paragraphs numbered consecutively. Dates, sums and numbers shall be expressed in figures.

5 Signing, appearing and acting—(1) When under these rules it is required that any document be signed, appearance made or act done by any party such document may be signed, appearance made or act done, unless otherwise directed by the Tribunal by the party himself or by his pleader or representative duly authorised in writing. The provisions of Order III of the first schedule of the Code of Civil Procedure 1908 shall be applicable to these pleaders.

(2) A party may appoint a person to act as his representative in any proceeding by writing signed by him, and such representative shall be entitled to appear and be heard on all occasions when his principal might so appear and to do in connection with the proceeding covered by his appointment any act or thing or give any consent or receive any notice or otherwise represent the party appointing him as fully as the party could do. Any such appointment may be revoked or varied by a writing signed by the party provided that such revocation or variation shall not be operative until filed with the Secretary of the Tribunal.

(3) A document may be signed appearance made or act done

- (a) in the case of a firm by any of its partners,
- (b) in the case of a body corporate, association or authority by its Chairman, President, Managing Director, General Manager or Secretary
- (c) in the case of a railway administration by the General Manager or the Chief Commercial Superintendent or Agent and General Manager of that railway and
- (d) in the case of the Central Government by a Secretary or Joint Secretary or a Deputy Secretary to that Government and in the case of Ministry of Railways (Railway Board) by the Secretary or the Joint Secretary or the Deputy Secretary in the Railway Board or a Director, Joint Director, Deputy Director or Assistant Director in the Railway Board.

6 Verification—Every pleading shall be verified at the foot by the party or by one of the parties pleading or by some other person proved to the satisfaction of the Tribunal to be acquainted with the facts of the case. The person verifying shall specify by reference to the numbered paragraphs of the pleading what he verifies on his own knowledge and what he verifies upon information received and believed to be true. The verification shall be signed by the person making it and shall state the date on which and the place at which it was signed. Where the verification is by some person other than the party his name and address shall be given underneath his signature.

7 Presentation—Unless otherwise specially provided all pleadings and documents, applications and communications intended for the Tribunal shall be presented to the Secretary at the headquarters of the Tribunal or despatched to him by registered post.

8 Time for presentation—Pleadings and other documents required to be filed within a certain time shall be filed at the Tribunal's office within that time. The date of receipt at the office of the Tribunal and not the date of posting, shall be taken as the date of filing.

9 Service of notice and summons—(1) Unless otherwise ordered by the Secretary or the Tribunal service of notices to parties and of summonses to witnesses shall be effected by the notice or summonses as the case may be, being sent by registered post to the address supplied.

(2) A notice to a party may also be served on the pleader or on the representative duly authorised in writing by the party.

10 Initiation of proceeding—Every proceeding before the Tribunal shall be initiated by a complaint under section 41(1) by an application under section 41A or by a reference under section 45(2).

11 Complaint—(1) A complaint under section 41(1) shall be addressed to the Tribunal and shall be in writing signed and verified. It shall set out the name, description and full address of the complainant and if there be a pleader or representative duly authorised in writing acting for the complainant in the matter his name and full address shall also be stated.

(2) The complaint shall contain a clear and concise statement of facts, the grounds of complaint, the relief or remedy which the complainant claims and where a person other than a railway administration is arrayed as respondent it shall set forth the grounds for impleading him.

12 Joinder of complainants—Two or more persons having the same interest in the proceedings may join in a complaint in which case all subsequent proceedings shall be in their joint names. Where there are more complainants than one, they shall nominate in the complaint some person, being either one of the complainants or a pleader or a representative duly authorised in writing as the person on whom any summons or notice may be served for and on behalf of all the complainants.

13 Respondent—(1) The railway administration against which a complaint is made shall be impleaded as respondent and if the complainant has reason to believe that there is any other person likely to be materially affected by the relief he is seeking he shall implead such person also as a respondent.

(2) The name, description and address of the respondent shall be given in the complaint and, where a railway administration owned by the Central Government is the respondent the provisions of section 79 of the Code of Civil Procedure, 1908 shall be observed.

14 Copies of complaint—Every complaint shall be accompanied with twice as many copies as there are parties and three additional copies for the use of the Tribunal.

15 Fee and deposit—With each complaint the complainant shall pay a fee of Rs 100 and provisionally deposit Rs 75 to meet the charges of the service of notices and other processes and cost of preparation of paper book.

16 Scrutiny and registration of complaint—(1) On receipt of a complaint the Secretary shall mark on it the date of its receipt and initial it and he shall thereafter endorse on it a report whether *prima facie* the complaint is or is not within the jurisdiction of the Tribunal, and, in the latter case he shall lay his report before the Tribunal for orders.

(2) If a complaint is not in accordance with these rules or is not accompanied with the necessary fee or deposit and the complainant does not cure the defect within the time allowed by the Secretary the Secretary shall lay it as soon as possible, before the Tribunal for orders. The Tribunal may reject the complaint outright or on the defect not having been cured within such additional time as may have been allowed by the Tribunal.

(3) The Secretary shall give to the complaints duly filed, serial numbers according to the order in which they are received by him and enter them in a register prescribed for the purpose by the Tribunal. The serial number and the year shall be placed at the head of documents relating to a particular case.

17 Return of complaint—(1) Where the Tribunal is of the opinion that a complaint is *prima facie* beyond its jurisdiction, it shall direct the Secretary to return the complaint with an endorsement to that effect.

(2) If within 30 days of the receipt of such endorsement the complainant makes an application to be heard on the question of jurisdiction the Tribunal shall decide the question after hearing the complainant and such other party as it may consider proper.

(3) The fee paid by the complainant shall be refunded to him if the complaint is returned to him as a result of an order passed under subrule (1).

18 Adding and striking out parties—(1) The Tribunal may, at any stage either upon or without the report of the Secretary or the application of either party, and on such terms as may appear to the Tribunal to be just, order that the name of any party improperly joined, whether as complainant or respondent be struck out, or that the name of any person who ought to have been joined whether as complainant or respondent or who may be materially affected by the relief asked for or whose presence before the Tribunal is considered proper or necessary for adjudication upon the questions involved in the complaint be added.

(2) No person shall be added as a complainant without his consent.

(3) No complaint shall be defeated by reason merely of misjoinder or non joinder of parties.

(4) When respondents are added the complaint and the register shall be suitably amended, and the complainant shall also file such number of additional copies of his complaint as is equal to twice the number of respondents added.

19 Service and notice of complaint—(1) A copy of the complaint shall be served on each respondent with the seal of the Tribunal and an endorsement by the Secretary requiring the respondent to put in his answer to the complaint within 30 days from the date of service, and also stating that in default of such answer being put in within the said period, the Tribunal may proceed to hear the complaint in his absence, and also that in such a case, the respondent will not be heard except by leave of the Tribunal and subject to such terms as the Tribunal may deem fit to impose.

(2) In the case of a railway the copy may be served on the General Manager or the Agent and General Manager of the railway concerned.

(3) A public notice shall also be published at the cost of the complainant and in the manner ordered by the Secretary of the Tribunal mentioning the filing of the complaint, names of parties, brief description of its allegations and relief sought and calling upon any person wishing to intervene in support of or opposition to the relief sought in the complaint to petition the Tribunal within 30 days of publication of the notice for leave to intervene.

(4) If it is thought that there are numerous persons who are not on the record but have the same interest in the proceedings as the complainant or respondent, that fact should be mentioned in the public notice and any decision given by the Tribunal after such public notice shall apply to all such persons.

20 Withdrawal of complaint.—(1) The complainant may at any stage after the institution of the complaint withdraw his complaint and in that case the Tribunal may pass such orders including orders as to costs as it may deem fit.

(2) In the case of withdrawal of complaint before the answer is put in the fee paid by the complainant shall be refunded.

21 Compromise of complaint.—When any complaint is adjusted by a compromise between the parties, both of them shall immediately notify the Tribunal of the same, and the Tribunal shall, after such notice, if any, as it may consider necessary, pass suitable orders disposing of the complaint.

22 Answer.—(1) The answer shall admit or deny specifically each allegation of fact contained in the complaint and not by a general denial of the grounds alleged by the complainant, and unless denied specifically or by necessary implication an allegation of fact in the complaint shall normally be taken as admitted by the respondent, and the answer shall contain a clear and concise statement of the material facts on which the respondent relies and shall raise all such grounds of defence as if not raised would be likely to take the opposite party by surprise.

(2) The answer shall be divided into paragraphs numbered consecutively and signed and duly verified, and it shall set out the name, description and full address of the respondent and if there be a pleader or a representative duly authorised in writing acting for the respondent in the matter, his name and full address shall also be stated.

(3) Every answer shall be accompanied with twice as many copies as there are parties and three additional copies for the use of the Tribunal, and a sum of Rs. 75 shall also be deposited to meet the charges of service of notice and other processes and the cost of preparation of paper book.

23 Scrutiny and Service of answer.—(1) On receipt of an answer, the Secretary shall mark on it the date of its receipt and initial it.

(2) If the answer is not in accordance with these rules, or is not accompanied with the necessary deposit, and the respondent does not cure the defect within the time allowed by the Secretary, the Secretary shall lay it as soon as possible, before the Tribunal for orders.

(3) Copies of the answers received from the respondents shall be sealed and initialed by the Secretary and served on the complainant and on such other party as the Tribunal may order.

24 Subsequent pleading.—No pleading subsequent to the answer shall be presented except by the leave of the Tribunal and upon such terms as the Tribunal may deem fit, but the Tribunal may at any time require from any of the parties a reply or additional reply together with twice as many copies thereof as there are parties and three additional copies for the use of the Tribunal and fix a time for presenting the same.

25 Amendment of pleading.—The Tribunal may at any stage allow any pleading to be amended, or order any matter to be struck out which may tend to prejudice, embarrass or delay the fair hearing of the case and all such amendments shall be made as may be necessary for the purpose of determining the real questions in controversy between the parties.

26 Production of documents.—(1) Unless for good cause shown and on such terms as the Tribunal may deem fit, all documents in possession of a party on which he wishes to rely at the hearing shall be produced by him, along with the list thereof on or before such date as may be fixed by the Tribunal for the purpose. He shall file at the same time, as many copies of the documents as there are parties and three additional copies for the use of the Tribunal.

(2) The Tribunal may at any time, order the production by any party of such of the documents in his possession or power relating to the matters in question as it may deem fit.

27 Interrogatories and discovery.—Any party may apply to the Secretary of the Tribunal for leave to deliver interrogatories in writing for examination of the opposite party, or for an order directing the opposite party to make a discovery of the documents in his possession, and in either case the provisions of Order VI of the Code of Civil Procedure 1908, will apply *mutatis mutandis*. Such applications may be rejected if they are so delayed as to necessitate an adjournment of the hearing of the case.

28 Inspection of documents.—(1) Either party shall be entitled at any time to give notice to the other party, in whose pleadings or affidavits reference is made to any document, to produce such document for the inspection of the party giving such notice, and to permit him to take copies

thereof and the party not complying with such notice shall not afterwards be at liberty to put any such document in evidence on his behalf unless he satisfies the Tribunal that he had sufficient cause for not complying with such notice.

(2) All books, documents and other things produced before the Tribunal whether voluntarily or on requisition, may be inspected by the parties provided that the Tribunal may, in its discretion, refuse publication of such parts of the books, documents or things produced as the parties may submit to be prejudicial to their interests to publish.

29 Framing of issues.—(1) After the closure of the pleadings and the filing of documents, the Tribunal shall frame issues, notify them to the parties and call upon them to file objections, if any, with reasons therefor within the time fixed by the Tribunal.

(2) If no objection is filed the parties shall be informed that the case will be heard on the issues as already notified.

(3) If an objection is filed the Tribunal shall hear the parties, at a time and place to be notified to them, and re-frame the issues, if necessary.

(4) Where the Tribunal is of opinion that the issues can not be correctly framed without the examination of some person not before it or without the inspection of some documents not produced it may subject to any law for the time being in force compel the attendance of, or the production of any document by, any person.

30 Examination of parties before hearing.—The Tribunal may before the hearing of the complaint examine the parties or their pleaders or representatives duly authorised in writing for the purpose of considering—

- the simplification, narrowing down or adjustment of matters in issue between the parties;
- the admission or denial by each party of the documents of the other;
- the limitation of the number of witnesses;
- the procedure at the hearing; and
- such other matters as may aid in the simplification of the evidence and disposal of the proceeding.

31 Amendment of issues.—At any time before giving its decision, the Tribunal may amend the issues or frame additional issues, as it thinks fit, or may be necessary, for determining the matters in controversy between the parties, and it may strike out any issue that appears to it to be wrongly framed.

32 Intervener.—(1) On the public notice given under Rule 19(3), any person may within the time prescribed in Rule 19(3) petition the Tribunal for leave to intervene in support of or opposition to the relief sought in the complaint.

(2) A petition for leave to intervene must set forth the grounds of the proposed intervention, the position and interest of the petitioner in the proceeding, and whether the same is in support of or opposition to the relief sought.

(3) It shall be within the Tribunal's discretion to grant or reject such leave in the light of the provisions of rule 18(1) relating to addition of parties.

(4) If leave is granted, the petitioner shall be unpleaded as intervener and notified of the same, and, within 7 days of receipt of such notice, he shall put in his pleading which shall conform to the provisions of rule 11(2) or 22(1), as the case may be. He shall also deposit at the same time Rs. 75 to meet the charges of notice and other processes and the cost of preparation of paper book and, if he intervenes in support of the complaint a fee of Rs. 100 and file twice as many copies of his pleading as there are parties and three additional copies for the use of the Tribunal.

33 Date of hearing.—After the settlement of issues the Tribunal shall fix a day, time and place for the hearing of the complaint and communicate the same to the parties concerned.

34 Right of audience.—(1) Any party to a proceeding before the Tribunal shall be entitled to be heard in person or by a pleader or a representative duly authorised in writing acting for the party in the matter.

(2) The Tribunal may permit any person likely to be of assistance to address the Tribunal.

35 Local inquiry and report.—In any proceeding in which the Tribunal deems a local inquiry to be requisite or proper, it may appoint any person to hold a local inquiry after notice to the parties and to report thereon to the Tribunal. The receipt of the report may be communicated to the parties for putting in their objections, if any, after making an inspection of the report within the time fixed, and the Tribunal shall dispose of those objections, provided that it may refuse to consider any objections not filed within the said time. The report shall be treated as part of the evidence in the case. The relevant provisions of Order XXVI of the first schedule to the Code of Civil Procedure, 1908, will apply *mutatis mutandis* to such local inquiries and reports.

36. Commission.—The Tribunal may at any stage issue a commission for examination of witnesses. The relevant provisions of Order XVI of the Code of Civil Procedure, 1908, will apply *mutatis mutandis* to the commissions issued under this rule.

37. Summons to witnesses.—(1) A party who desires to summon a witness through the Tribunal for appearance before the Tribunal or before a Commissioner appointed under rule 36, shall, at least 30 days before the date of hearing, produce a list of persons whose attendance is required, stating the full name, description and address of each person and whether he is required to give evidence as an expert or otherwise or to produce documents, and, in the last mentioned case, specifying the date, if any, and the description of the documents so as to identify them. He shall with such a list deposit the total amount of the allowances to which the said persons are entitled for travelling and attendance before the Tribunal, calculated in accordance with the Rules of the High Court of Judicature at Madras in its ordinary original civil jurisdiction.

(2) Whenever the Tribunal thinks it necessary, it may, of its own motion, summon any person to give evidence, or to produce any document in his possession, and pass necessary orders as to the costs of summoning such person.

(3) Witnesses will be served with summonses in accordance with rule 9(1), requiring them to attend or to produce a document at the time and place fixed. If a witness served fails to attend as required, his attendance may be enforced by recourse to the provisions of Order XVI of the first schedule to the Code of Civil Procedure, 1908.

38. Tribunal may call for further evidence.—The Tribunal may, at any stage of the hearing, call for further evidence on any issue from any party.

39. Preliminary questions of Law.—The Tribunal may, by consent of the parties to any proceedings, or on the application of any party, or of its own motion, order any point of law raised by the pleadings to be set down for hearing and to be disposed of at any time before the hearing of the complaint. If, in the opinion of the Tribunal, the decision of such point of law substantially disposes of the whole complaint, the Tribunal may make such order as may seem to it to be just and proper.

40. Hearing.—(1) Every complaint shall be heard in open Court at the time and place fixed by the Tribunal.

(2) The hearing shall proceed from day to day as far as in the judgment of the Tribunal may be practicable and convenient, and the same shall not be adjourned at the instance of a party except for reasons considered sufficient by the Tribunal and on such terms, including payment of costs, as the Tribunal may deem fit.

41. Default of appearance.—If the complainant does not appear at the time and place appointed for hearing, the Tribunal may dismiss the complaint or, at its discretion, proceed with the hearing at the instance of an intervenor supporting the complaint, and if the respondent does not likewise appear, it may hear and decide the complaint in his absence. If at any adjourned date of the hearing the parties or any of them do not appear, the Tribunal may dismiss the complaint or decide it *ex parte*, as the case may be, or it may dispose of the case in their absence.

42. Re-hearing.—(1) When a complaint is dismissed for default, but the complainant satisfies the Tribunal that there was sufficient cause for default, the order of dismissal may, after notice to the opposite party, where necessary, be set aside and the complaint proceeded with upon such terms as to costs or otherwise as the Tribunal may deem fit.

(2) When an *ex parte* decision has been made, but the respondent satisfies the Tribunal that notice was not duly served on him, or that he was prevented by any sufficient cause from appearing at the hearing, the *ex parte* decision may be set aside and the case proceeded with upon such terms as to costs or otherwise as the Tribunal may deem fit.

(3) An application for setting aside an order of dismissal of complaint or an *ex parte* decision shall be made within 30 days of the dismissal of the complaint or the passing of the *ex parte* decision, as the case may be, unless the Tribunal excuses the delay for adequate reasons.

43. Indian Evidence Act to apply.—The provisions of the Indian Evidence Act, 1872, shall generally be followed in proceedings before the Tribunal; provided that, in the discretion of the Tribunal, any of its provisions may be relaxed in order that needful and proper evidence may be conveniently, inexpensively and speedily produced in the interests of justice, while preserving the substantial rights of the parties.

44. Affidavit.—(1) The evidence at the hearing of a complaint may be taken either by affidavit or *viva voce*, or partly by affidavit and partly by *viva voce*; provided that if either party intends to rely on any evidence by affidavit, he shall, at least 10 days before the hearing, deliver or send by registered post to the other party a copy of the affidavit intended to be used, failing which he shall not be allowed to use the same except by special leave of the Tribunal.

(2) Either party may, within 7 days after receipt of a copy of any affidavit intended to be so used, deliver or send by registered post to the other party a notice requiring the deponent to be produced at the hearing of the complaint for cross examination, and unless the deponent is so produced, his affidavit shall not be used except by special leave of the Tribunal.

(3) The Tribunal may at any time for sufficient reason order that any particular fact may be proved by affidavit, or that the affidavit of any witness may be read at the hearing on such conditions as the Tribunal deems reasonable.

Provided that where it appears to the Tribunal that either party *bona fide* desires the production of a witness for cross-examination, and that such witness can be produced, an order shall not be made authorising the evidence of such witness to be given by affidavit.

(4) An affidavit shall be confined to such facts as the witness is able of his own knowledge to prove, except in interlocutory proceedings, in which statements as to his belief with the grounds thereof may be admitted.

(5) For the purpose of any affidavit to be sworn in any proceedings before the Tribunal, the Chairman may empower any official of the Tribunal to administer an oath to the deponent of the affidavit.

45. Oral evidence.—(1) The oral evidence of a witness shall be recorded in English. It may be taken by some one acting under the direction of the Tribunal in type script, or in short or long hand and typed. The typewritten copy shall be initialled by the Chairman or any Member of the Tribunal.

(2) When evidence is given by a witness in a language other than English, the Tribunal may appoint an interpreter who will take oath (or solemnly affirm) that he will render the evidence into English correctly. The interpreter will be paid his fees as directed by the Tribunal.

46. Judgment.—After hearing the evidence and arguments, if any, the Tribunal may give its decision immediately or at some future day of which due notice shall be given to the parties or their pleaders or representative duly authorised in writing acting for the parties in the matter. The decision shall be signed by the Chairman and the Members of the Tribunal, and a copy of the operative part of the decision shall be given or sent to each party.

47. Costs.—(1) The Tribunal may, in its discretion, order payment of costs of the proceedings by either party to any other, either in whole or in part. The fact that the Tribunal has no jurisdiction in respect of the proceedings in question shall be no bar to its ordering payment of costs under this rule.

(2) The scale of fees admissible for the award of costs for and in connection with the proceedings before the Tribunal shall be as shown in the Appendix to these rules.

(3) The bill of costs shall be prepared by the Secretary and attached to the decision of the Tribunal, and a copy thereof shall be sent to the parties. The bill of costs may be corrected by the Secretary or the Tribunal at the instance of any party, if it be necessary to do so.

48. Change in personnel of Tribunal.—Where the Tribunal is prevented by a change in its personnel from concluding any proceedings before it, the succeeding re-constituted Tribunal may resume the same from the stage at which the previous Tribunal left it, and it may give a decision, or submit a report, written but not given or submitted by its predecessor, and correct a bill of costs relating to a decision given by its predecessor.

49. Correction of decision.—Clerical or arithmetical mistakes in any decision or order of the Tribunal, or errors arising therein from any accidental slip or omission, may at any time be corrected by the Tribunal either of its own motion or on the application of any of the parties.

50. General power to amend.—The Tribunal may at any time, and on such terms as to costs or otherwise as it deems fit, amend any defect or error in any proceeding before it; and all necessary amendments shall be made for the purpose of determining the real question of issue raised by or depending on such proceeding.

51. Interlocutory orders.—The Tribunal may pass, vary or set aside, *ex parte* or after hearing, such interlocutory orders, including temporary injunctions, as may be necessary.

52. Enlargement or abridgement of time.—The Tribunal may enlarge or abridge the time for doing any act or taking any proceeding upon such terms as the justice of the case may require; provided that the period prescribed for applying for setting aside an order of dismissal of complaint or an *ex parte* decision shall not be abridged.

53. Computation of time.—In all cases in which a particular number of days is prescribed by these rules or in an order passed by the Secretary or the Tribunal, the same shall be reckoned exclusively of the first day and inclusively of the last day, and if the office of the Tribunal is closed on the

last day, the time shall be reckoned exclusively of that day also. If on any day on which an act is required to be done by a party the office is closed, it may be done on the day on which the office next opens.

54. **Application.**—These rules shall *mutatis mutandis* be applicable to the disposal of cases where a railway administration is an applicant under section 41A.

55. **Reference.**—A reference to the Tribunal for inquiry and report shall be in the form of a letter addressed to the Secretary of the Tribunal and sent by registered post. The letter shall specify, *inter alia*,

- (a) the details of the matter referred to the Tribunal for inquiry and report, and
- (b) all information in the possession of the Central Government which that Government may think relevant to the matter before the Tribunal.

56. **Public notification of inquiry.**—The Tribunal may, at any stage, publish a notification, either generally about the inquiry or about any of the proceedings in connection therewith, to enable the trades or trade associations or persons interested in the matter to submit their memoranda of recommendations or offer oral evidence at the inquiry.

57. **Public inquiry.**—At the discretion of the Tribunal, a public inquiry may be held at a time and place announced by public notification.

58. **Report of the enquiry.**—The report of the inquiry shall be submitted to the Central Government, and that Government may, if it thinks fit, release it to the public.

59. **Commissions for inquiry.**—For purposes of inquiry, the Tribunal may issue such commissions and summon such witnesses as it may consider necessary.

60. **Paper books.**—In every case relating to a complaint or an application there shall be prepared typed paper books of the pleadings, issues, evidence recorded, documents admitted and such other parts of the record as may be specifically ordered to form part of the paper book. As many copies of such paper books shall be prepared as may be required for the Members of the Tribunal and the parties. Costs of preparation of paper books shall be charged at 40 nP per page in respect of such matter as may be typed in the office of the Tribunal.

61. **Hours of the Tribunal and its Office.**—Unless otherwise specially ordered by the Chairman, the working hours of the Tribunal shall be from 11 a.m. to 1.15 p.m. and 2.00 p.m. to 4.45 p.m. on all week days except Saturdays, and the working hours of the office shall be from 10.15 a.m. to 1.30 p.m. and 2.00 p.m. to 4.45 p.m., except that the office shall close at 4 p.m. on Saturdays and remain closed on the penultimate Saturday of every month.

62. **Holidays and vacations.**—The Tribunal shall have the same holidays and vacations as the Madras High Court, but the office shall remain open during the vacation to transact its normal business. No party shall be entitled to extension of time on the ground of a vacation.

63. **Return of documents.**—(1) Documents admitted in evidence may after the disposal of the proceedings be returned to the party concerned either by being delivered to him in person or sent to him by registered post acknowledgement due, or by parcel at his risk and cost; provided that a document admitted in evidence may be returned earlier if the party applying therefor delivers to the Secretary a certified copy to be substituted for the original and undertakes to produce the original if required to do so. Where a document is returned to a party by its being delivered to him, a receipt shall be given by the person receiving it.

(2) Documents not admitted in evidence shall not form part of the record and shall be returned to the parties respectively producing them in the manner provided by sub-rule (1).

64. **Certified copies of record.**—Unless specially ordered otherwise by the Tribunal, a party to a proceeding shall be entitled to have certified copies of any part of the record of the proceeding. Such certified copies shall be prepared in the office of the Tribunal and charged as certified copies are charged in the Madras High Court.

65. **Remittances.**—All monies to be paid to or deposited with the Tribunal shall be paid in cash at the office of the Tribunal or remitted by crossed postal order or crossed bank draft in favour of the Secretary.

66. **Refund or recovery against deposit.**—After the conclusion of a case, the Secretary shall calculate the amount spent out of the deposit made by each party and either return to him the excess or recover from him the deficit, as the case may be.

67. **Forms and registers.**—The Tribunal may prescribe the forms of notices and registers and other records to be maintained in its office.

68. **Practice of Madras High Court adopted.**—Where not inconsistent with these rules, the general principles of practice or any particular practice of the Madras High Court may be adopted and applied at the discretion of the Tribunal to proceedings before it.

69. **Saving of inherent powers of Tribunal.**—Notwithstanding anything contained in the foregoing rules, the Tribunal may make such orders as it may consider necessary for the ends of justice or to prevent abuse of the process of the Tribunal.

APPENDIX

Rule 47 (2)

Scale of fees for award of costs in connection with proceedings before the Tribunal

	Rs.
1. For filing a complaint under Section 41(1), an application under Section 41A or for intervening in support of a complaint.	100
2. For filing a Vakalatnama or an authority under Rule 5(1).	4
3. For filing any other application.	2
4. For service of notice, summons or interrogatories.	2
5. For filing any affidavit made outside the Tribunal.	1
6. For making an affidavit before an officer of the Tribunal.	2
7. Legal practitioner's fees.	
(a) Retainer	100
(b) Hearing	100 per day or any part thereof.
(c) Interlocutory applications	As ordered by the Tribunal in its discretion.

R. E. de Sa, Secy.
Railway Board.

MINISTRY OF IRRIGATION AND POWER

CORRIGENDUM

New Delhi, the 2nd July 1959

No. 110(27)/58-DWI.—In this Ministry's Resolution No. F.110(27)/58-DWI, dated the 19th March, 1959, for the words and figures "dated the 14th April, 1958" the words and figures "dated the 14th April, 1955" may be substituted.

T. R. BARKER, Under Secy.